

## Article - Public Utilities

[\[Previous\]](#)[\[Next\]](#)

§7-406.

(a) (1) A builder subject to the provisions of this subtitle shall:

(i) provide the first purchaser of the building with a copy of the certificate that is filed with the electric company; or

(ii) if the builder was issued a waiver under § 7-404 of this subtitle, provide the first purchaser with a copy of the statement of waiver.

(2) If the first purchaser of the building resells the building without having occupied or rented it, at the time of the resale, the first purchaser shall provide the next purchaser with the copy of the certificate or the statement of waiver.

(b) (1) If a builder fails to comply with the energy conservation standards required for certification under this subtitle, or the builder fails to obtain a statement of waiver under this subtitle, the builder is liable to the first purchaser who either occupies or rents the building for an amount not to exceed \$2,000 and for:

(i) the cost of bringing the building into compliance with the standards required under this subtitle;

(ii) the reasonable attorney's fees and court costs of the purchaser; and

(iii) any reasonable costs incurred by the purchaser in determining that the builder did not comply with the energy conservation standards required under this subtitle.

(2) An action under this subsection may not be brought more than 3 years after the date on which the builder provided the purchaser with a copy of the certificate or the waiver.

(3) If the builder is a corporation and the corporation is dissolved, the purchaser may bring any action authorized under this subsection against any person who was an officer of the corporation at the time that the alleged violation occurred.

(c) (1) In any political subdivision that has adopted the Energy Code, if a builder of a building that is completed after July 1, 1982 willfully deviates from the

approved plans for the building, the builder is liable to the first purchaser who either occupies or rents the building for an amount not to exceed \$2,000 and for:

(i) the cost of bringing the building into compliance with the Energy Code;

(ii) the reasonable attorney's fees and court costs of the purchaser; and

(iii) any reasonable costs incurred by the purchaser in determining that the builder did not comply with the Energy Code.

(2) An action under this subsection may not be brought more than 3 years after the date on which a use and occupancy permit is issued for the building by the political subdivision in which the building is located.

(3) If the builder is a corporation and the corporation is dissolved, the purchaser may bring any action authorized under this subsection against any person who was an officer of the corporation at the time that the alleged violation occurred.

(4) The provisions of paragraph (1) of this subsection are in addition to any other remedies available under State or local law.

[\[Previous\]](#)[\[Next\]](#)